

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JESSALYN ROYANNA
TAYLOR and JAYLEN ELIJAH TAYLOR,
Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

STACI L. TAYLOR,

Respondent-Appellant,

and

ALFONSO TAYLOR,

Respondent.

UNPUBLISHED

July 16, 2009

No. 290328

Saginaw Circuit Court

Family Division

LC No. 07-031341-NA

Before: Davis, P.J., and Murphy and Fort Hood, JJ.

MEMORANDUM.

Respondent Staci L. Taylor appeals as of right from an order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

To terminate parental rights, a court must find that at least one of the statutory grounds set forth in MCL 712A.19b(3) was proven by clear and convincing evidence. MCL 712A.19b(3); *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003); *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000). Once a statutory ground for termination of parental rights is established, the court must terminate if it also finds that termination of parental rights is in the child's best interests. MCL 712A.19b(5). This Court reviews the trial court's finding that a ground for termination was established by clear and convincing evidence for clear error. MCR 3.977(J); *In re JK*, *supra* at 209.

Initially, we note that respondent does not challenge trial the court's finding that termination was proper under MCL 712A.19b(3)(g), or the court's best interests determination, but challenges only the court's finding that termination was proper under MCL 712A.19b(3)(c)(i) and (j). The trial court did not clearly err in finding these grounds for

termination established by clear and convincing evidence. The minor children came into care after the infant Jaylen suffered an acute oblique proximal shaft fracture of his right femur, and the explanation offered by respondent and the child's father, Alfonso Taylor, was not consistent with Jaylen's medical condition. By the time of the permanent custody hearing, respondent still had not provided a reasonable explanation for Jaylen's injury. Although she consistently told the authorities that Alfonso Taylor was in the room with Jaylen when she heard an unusual cry from Jaylen, she maintained that Alfonso Taylor would not have injured Jaylen and provided no other explanation for the injury. Respondent married Alfonso Taylor despite the fact that he was charged with child abuse for breaking Jaylen's leg. Furthermore, respondent continued to minimize Jaylen's injury.

In addition, there was evidence that respondent did not benefit from parenting classes, failed to progress in counseling due to missed appointments, failed to find employment, and failed to maintain stable housing throughout this case. Under these circumstances, respondent will not be able to provide the stability and permanence the children require. We find no clear error in the trial court's findings and therefore affirm the order terminating respondent's parental rights to the children.

Affirmed.

/s/ Alton T. Davis
/s/ William B. Murphy
/s/ Karen M. Fort Hood